



Agenda
Gallatin Municipal Board of Zoning Appeals

Thursday, September 25, 2014
DR. J. DEOTHA MALONE COUNCIL CHAMBERS

Municipal Board of Zoning Appeals - 5:30 p.m.
CITY HALL

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**
- **Approve Prior Minutes – August 28, 2014**

REGULAR AGENDA

1. **GMBZA Resolution No. 2014-08**
VARIANCE FOR BERETTA USA
BRPH ARCHITECTS ENGINEERS

PC0340-14

PUBLIC HEARING

THE OWNERS AND APPLICANT REQUEST APPROVAL OF A VARIANCE OF ONE (1) FOOT TO PERMIT THE INSTALLATION OF A SEVEN (7) FOOT TALL BLACK METAL PICKET SECURITY FENCE IN THE FRONT YARD ON PROPERTY LOCATED AT 1399 GATEWAY DRIVE. THE PROPERTY IS CURRENTLY SPLIT-ZONED INDUSTRIAL RESTRICTIVE (IR) AND AGRICULTURAL-RESIDENTIAL (A) AND CONTAINS 99.88 (+/-) ACRES. SECTION 12.01.020.C.5.B OF THE CITY OF GALLATIN ZONING ORDINANCE ONLY PERMITS A FENCE OF SIX (6) FEET TALL IN THE REQUIRED FRONT YARD.

2. **OTHER BUSINESS**
3. **MOVE TO ADJOURN**

MINUTES OF THE GALLATIN
MUNICIPAL BOARD OF ZONING APPEALS
MEETING

August 28, 2014

Present

Jimmy Moore, Chair
Eddie Wyatt, Vice Chair
Jeannie Gregory, Secretary
John Puryear
Homer Vaughn, Sr.

Staff

Kevin Chastine, Planner II
Marianne Mudrak, Board Secretary

Absent

None

Others Present

None

The Gallatin Municipal Board of Zoning Appeals met in a regular meeting on Thursday, August 28, 2014 at 5:30 p.m., in the Dr. J. Deotha Malone Council Chambers of Gallatin City Hall. Mr. Jimmy Moore, Chair, called the meeting to order. A copy of the meeting agenda is attached to these minutes as Exhibit A.

Chair Moore led the opening prayer and pledge of allegiance. Ms. Marianne Mudrak called roll.

Approve Prior Minutes

Chair Moore presented the minutes of the July 31, 2014 Municipal Board of Zoning Appeals meeting for approval. Approval of the minutes was deferred to the next Municipal Board of Zoning Appeals meeting.

Item 1

GMBZA Resolution No. 2014-06 – PC0319-14 – Conditional Use Permit for United Church – Matchett and Associates – Public Hearing – Owner/Applicant requests approval of a Conditional Use Permit per section 15.06.050.H of the Gallatin Zoning Ordinance for a Place of Worship on a 19.42 (+/-) acres parcel located at the northeast corner of Nichols Lane and Clear Lake Meadows Boulevard.

Mr. Kevin Chastine, Planner II, presented the staff report and said the applicant is requesting approval of a Conditional Use Permit for a Place of Worship, which requires a Conditional Use Permit use in the Residential-20 (R20) zone. He identified the four general conditions for obtaining conditional use permit and that the conditions have all been met and that additional conditions related to the use are suggested. Staff recommends approval of Resolution No. 2014-06 with the conditions listed in the staff report.

Mr. Richard Jones, with Roger's Engineering Group, represented the applicant and said he is in agreement with staff conditions.

Chair Moore opened public hearing. No one came forward to speak; therefore, Chair Moore closed public hearing.

Mr. Wyatt motioned to approve Resolution No. 2014-06 with the following conditions:

1. The plan of development shall be substantially consistent with the Preliminary Site Plan for Conditional Use for United Church at Nichols Lane and Clear Lake Meadows, consisting of a one (1) sheet plan, prepared by Matchett & Associates of Gallatin, Tennessee, with project number 1409, and dated July 29, 2014 with final revision date of August 11, 2014.
2. The applicant shall submit a site plan application for review by the Gallatin Municipal Regional Planning Commission.
3. The applicant shall be aware that the conditional use permit plan does not give entitlement to actual building/parking location. The conditional use permit plan does not match the currently approved sketch plat. The sketch plat would need to be amended.
4. The owner/or operator shall submit an application for a new or revised Conditional Use Permit if substantial changes are made to the conditional use permit site plan. Substantial improvements include additions exceeding a twenty (20) percent or more increase in the square footage of the proposed facility.
5. Provide right-of-way for the relocation of Clear Lake Meadows Boulevard consistent with the realignment approved for the Preliminary Plat for Section 8 of the Clear Lake Meadows Subdivision.

Ms. Gregory seconded the motion and the motion passed by unanimous vote.

Mr. Puryear joined the meeting at 5:38 p.m.

Item 2

GMBZA Resolution No. 2014-07 – PC0320-14 – Conditional Use Permit for 21st Century Day Services, Inc. – Public Hearing – Owner/Applicant request approval of a Conditional Use Permit per section 05.06.050.A for an Adult Care Facility on 2.664 (+/-) acres at 575 Airport Road.

Mr. Chastine presented the staff report and said this facility was previously located on Franklin Street; however, the building burned down. The applicant received a Conditional Use Permit for a building nearby the proposed location at 567 Airport Road. The applicant purchased the building and proposed to follow the exact requirements that were approved for the current location. The Conditional Use Permit at 567 Airport Road has expired and a part of this approval is to extend the previous Conditional Use Permit of 567 Airport Road to allow for the move to the new location. All general requirements and special conditions have been met. Staff recommends approval of Resolution 2014-07 with the conditions listed in the staff report.

Chair Moore opened public hearing. No one came forward to speak; therefore, Chair Moore closed public hearing.

Mr. Richard Jones, with Rogers Engineering Group, represented the applicant and briefly explained the use of the facility.

Mr. Wyatt asked if the Conditional Use Permit must be renewed in two years. Mr. Chastine said that with the new Conditional Use Permit that is no longer in effect; however, if there are any substantial changes to the building, the applicant must come back for Board review.

Chair Moore asked if all neighbors were notified of this facility. Mr. Chastine said all neighbors were notified.

Mr. Wyatt motioned to approve Resolution 2014-07 with the following conditions:

1. The Conditional Use Permit shall be substantially consistent with the site plan for 21st Century Day Services, Inc. – Adult Day Care, consisting of a one (1) sheet plan, prepared by Rogers Engineering of Gallatin, Tennessee, with project number 12-017, and dated June 12, 2012, with final revision date of August 6, 2012 and a one (1) sheet boundary survey, prepared by Blue Ridge Surveying, Inc. of Gallatin Tennessee, with no project number, and dated July 28, 2014 with final revision date of July 31, 2014.
2. The existing conditional use permit for Adult Care Facility of 567 Airport Road shall be extended until the new location at 575 Airport Road is opened.
3. The applicant shall submit an application and plans for review and approval of an in-house site plan by the Gallatin Planning Department staff.
4. The owner/or operator shall submit an application for a new or revised Conditional Use Permit if substantial changes are made to the conditional use permit site plan. Substantial improvements include alterations, or additions exceeding ten (10) percent of the proposed facility or changes in the façade building material on site.

Mr. Puryear seconded the motion and the motion passed by unanimous vote.

Item 3
Other Business

There was no other business to discuss.

Item 4
Move to Adjourn

There being no further business to discuss, Chair Moore adjourned the meeting at 5:45 p.m.

Respectfully submitted:

Marianne Mudrak, Board Secretary

Approve:

Jimmy Moore, Chair

Jeannie Gregory, Secretary

**Agenda
Gallatin Municipal Board of Zoning Appeals**

**Thursday, August 28, 2014
DR. J. DEOTHA MALONE COUNCIL CHAMBERS**

**Municipal Board of Zoning Appeals - 5:30 p.m.
CITY HALL**

- **Call to Order**
- **Invocation**
- **Pledge of Allegiance**
- **Roll Call**
- **Approve Prior Minutes – July 31, 2014**

REGULAR AGENDA

- 1. GMBZA Resolution No. 2014-06 PC0319-14
CONDITIONAL USE PERMIT FOR UNITED CHURCH
MATCHETT AND ASSOCIATES**

PUBLIC HEARING
OWNER/APPLICANT REQUESTS APPROVAL OF A CONDITIONAL USE PERMIT PER SECTION 15.06.050.H OF THE GALLATIN ZONING ORDINANCE FOR A PLACE OF WORSHIP. PROPERTY ON 19.42 (+/-) ACRES LOCATED AT THE NORTHEAST CORNER OF NICHOLS LANE AND CLEAR LAKE MEADOWS BOULEVARD.
- 2. GMBZA Resolution No. 2014-07 PC0320-14
CONDITIONAL USE PERMIT FOR 21st CENTURY DAY SERVICES, INC.
ROGERS ENGINEERING GROUP**

PUBLIC HEARING
OWNER/APPLICANT REQUEST APPROVAL OF A CONDITIONAL USE PERMIT PER SECTION 05.06.050.A FOR AN ADULT CARE FACILITY ON 2.664 (+/-) ACRES AT 575 AIRPORT ROAD.
- 3. OTHER BUSINESS**
- 4. MOVE TO ADJOURN**

EXHIBIT A

ITEM 1

GMBZA Resolution No. 2014-08

RESOLUTION OF THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS APPROVING A VARIANCE FROM SECTION 12.01.020.C.5.B OF THE ZONING ORDINANCE OF GALLATIN, TENNESSEE FOR PROPERTY AT 1399 GATEWAY DRIVE – (PC0340-14)

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS considered the request for a one (1) foot variance to permit the installation of a seven (7) foot tall metal picket security fence in the front yard on property located at 1399 Gateway Drive, per Section 12.01.020.C.5.b of the Gallatin Zoning Ordinance, submitted by the applicant, BRPH Architects, Engineers, Constructors, at its regular meeting on September 25, 2014; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Municipal Board of Zoning Appeals Staff Report, and evidence and testimony presented during the meeting; and

WHEREAS, THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS is required in its deliberations, pursuant to Gallatin Zoning Ordinance Section 15.04.028.E, to indicate the specific section of the Zoning Ordinance of Gallatin, Tennessee under which the variance is being considered and state specific findings and specifically identified the hardship warranting such action by the Board; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS makes the following findings pursuant to T.C.A. Section 13-7-206; Section 13-7-207(3); and Section 15.05.030 of the Gallatin Zoning Ordinance:

Section 1. The request for a variance of one (1) foot from Section 12.01.020.C.5.b the Gallatin Zoning Ordinance to permit the installation of a seven (7) foot tall black metal picket security fence in the front yard on property located at 1399 Gateway Drive, meets all nine (9) of the following Standards for Variances as described in the body of the Staff Report and as set forth in Gallatin Zoning Ordinance, Section 15.05.030:

- A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;
- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;
- C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance;

- D. Financial returns only shall not be considered as a basis for granting a variance;
- E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;
- F. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts;
- G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and
- I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

Section 2. Action – The Gallatin Municipal Board of Zoning Appeals hereby approve GMBZA Resolution No. 2014-08 granting a one (1) foot variance from G.Z.O. Section 12.01.020.C.5.b to allow a fence to be seven (7) feet tall in the front yard, as shown on a three (3) sheet plan, prepared by BRPH Architects, Engineers, Constructors of Melbourne, Florida, and Pattillo Construction Corporation, of Stone Mountain, Georgia, with Project No. C07005.000 dated August 13, 2014, with the following condition:

- 1. The one (1) foot variance only applies to the proposed seven (7) foot tall black metal picket security fence as shown on the Beretta USA Variance Request Exhibit (Attachment 1-1) and supporting detail sheets (Attachment 1-1; sheet C-509 and sheet C-510).

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL BOARD OF ZONING APPEALS that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED: 9/25/14

Jimmy Moore, Chair

Jeannie Gregory, Secretary

APPROVED AS TO FORM:

Susan High-McAuley
City Attorney



ITEM 1
PLANNING DEPARTMENT STAFF REPORT
Beretta USA Fence Variance Request
1399 Gateway Drive
Date: September 17, 2014

REQUEST: THE OWNERS AND APPLICANT REQUEST APPROVAL OF A VARIANCE OF ONE (1) FOOT TO PERMIT THE INSTALLATION OF A SEVEN (7) FOOT TALL BLACK METAL PICKET SECURITY FENCE IN THE FRONT YARD ON PROPERTY LOCATED AT 1399 GATEWAY DRIVE. THE PROPERTY IS CURRENTLY SPLIT-ZONED INDUSTRIAL RESTRICTIVE (IR) AND AGRICULTURAL-RESIDENTIAL (A) AND CONTAINS 99.88 (+/-) ACRES. SECTION 12.01.020.C.5.B OF THE CITY OF GALLATIN ZONING ORDINANCE ONLY PERMITS A FENCE OF SIX (6) FEET TALL IN THE REQUIRED FRONT YARD (PC0340-14).

OWNERS: CITY OF GALLATIN & GREGORY REAL ESTATE, LLC

APPLICANT: BRPH ARCHITECTS, ENGINEERS, CONSTRUCTORS

STAFF RECOMMENDATION: APPROVAL OF GMBZA RESOLUTION NO. 2014-08

STAFF CONTACT: KATHERINE SCHOCH, AICP

MBZA MEETING DATE: SEPTEMBER 25, 2014

PROPERTY OVERVIEW:

The owners and applicant are requesting approval of a variance of one (1) foot to permit the installation of a seven (7) foot tall black metal picket security fence in the front yard on property located at 1399 Gateway Drive (Attachment 1-1 & 1-2). This property contains a total of 99.88 (+/-) acres and is shown as Lot 4 on the Gallatin Industrial Center, Phase 3, Final Plat (PB 28; PG 193-194 R.O.S.C.) (PC0298-14). The subject property is currently split-zoned Industrial Restrictive (IR) and Agriculture-Residential (A). Property zoned IR [91.67 (+/-) acres] is owned by the City of Gallatin and the portion of the project site zoned A [8.21 (+/-) acres] is owned by Gregory Real Estates, LLC. The current property owner is in the process of requesting approval to rezone 8.21 (+/-) acres of the eastern most portion of the project site from A to IR to allow for the construction of a 160,000 square foot manufacturing and warehousing facility for Berretta USA. The company manufactures firearms used worldwide for a variety of civilian, law enforcement, and military purposes.

The Federal Government requires all Conventional Arms, Ammunition, and Explosives (AA&E) facilities, contracting with the Department of the Navy, to be completely enclosed by a seven (7) foot tall fence for security purposes; however, Section 12.01.020.C.5.b of the Gallatin Zoning Ordinance limits the fence height to six (6) feet tall in the required front yard for commercial and industrial zoned property. Since the requirement is a Federal mandate, Staff

recommends approval of the variance request with the condition listed on page 8 of the Staff Report and in GMBZA Resolution No. 2014-08.

CASE BACKGROUND:

Property History and Previous Approvals

At the August 25, 2014 meeting, Planning Commission approved a Site Plan for Beretta USA to construct a 160,000 square foot manufacturing and warehousing facility on property containing 99.88 (+/-) acres located at 1399 Gateway Drive (Attachment 1-1 and Attachment 1-3) (PC0326-14). At that same meeting, Planning Commission recommended approval of a rezoning request for 8.21 (+/-) acres of the eastern most portion of the project site from A to IR (PC0329-14). Second Reading of Ordinance No. O1408-47 is scheduled for the Tuesday, October 7, 2014 Gallatin City Council meeting. Adoption of the rezoning ordinance by City Council is a condition of final Site Plan approval.

ANALYSIS

During the recent review of the Beretta USA Site Plan, Staff found that the proposed black metal picket security fence was one (1) foot above the maximum permitted height of six (6) feet in the front yard for commercial and industrial zone districts according to Section 12.01.020.C.5.b of the Gallatin Zoning Ordinance. Since the proposed fence violates the City's requirement, a variance is required. The Planning Commission approved the Site Plan with several conditions, including the requirement for the applicant to submit a variance request to the Gallatin Municipal Board of Zoning Appeals for the installation of the seven (7) foot tall metal security fence in the front yard along Gateway Drive and Beretta Way (Attachment 1-1).

Section 12.01.020.C.5.a of the Gallatin Zoning Ordinance also limits the height of fences in front yards to four (4) feet in residential zones. Although the security fence will be located on property currently zoned A, it will not be installed until the property is rezoned to IR; therefore, a variance from that regulation is unnecessary.

Security Fence Requirement

According to the information submitted by the applicant, the Federal Government requires all Conventional Arms, Ammunition, and Explosives (AA&E) facilities, contracting with the Department of the Navy, to be completely enclosed by a seven (7) foot tall fence for security purposes (Attachment 1-4). Section 1.4, Application, of the Military Handbook (MIL-HDBK-1010/10), included as Attachment 1-5, page 1, stipulates the physical barrier requirement around all perimeter boundaries and designated restricted areas. Section 1.8, Fencing Modifications, specifies the seven (7) foot tall requirement (Attachment 1-5; page 3). Furthermore, according to the Department of the Navy's Physical Security Instruction and for Conventional Arms, Ammunition, and Explosives (AA&E), dated September 26, 2003, Conventional AA&E facilities must be protected due to the potential for misuse, capability to cause injury, and vital role in national defense (Attachment 1-4).

Security Fence Details and Location

To meet the Federal Government's mandatory safety standards, the applicant has proposed a seven (7) foot tall black metal picket security fence to be located at the front of the property. Details of the proposed fence are included as part of the Variance Request Exhibit (Attachment 1-1; sheet C-509). The remaining perimeter of the site will be enclosed by a seven (7) foot tall black vinyl coated chain

link and fabric fence, with galvanized barbed wire along the top (Attachment 1-1; sheet C-510). The centerline of the fence will be located 22 feet inside the property line from the main entry driveway back to the west property corner. In addition, the centerline of the proposed fence will be located 22 feet inside the property line from the main entry driveway back to the east property corner outside of the temporary construction easement. Since the future expansion of the Beretta USA site on Gateway Drive will contain an outdoor firing range on the north side of the property, Staff agrees that a security fence is appropriate.

Public Utility and Drainage Easements (P.U.D.E.)

A 20-foot Public Utility and Drainage Easement (P.U.D.E.) is shown along the front of this property adjacent to Gateway Drive. The P.U.D.E. will allow stormwater runoff to flow to a new stormwater management area to be constructed on the north central portion of the property, behind the main building. A second drainage pond is proposed at the northeastern corner of the site and will be installed as part of the future project expansion. Staff asked the applicant to move the proposed black metal picket security fence outside of the 20-foot P.U.D.E. along the front of the property so it does not impede the flow of stormwater to either of the proposed drainage ponds on site or interfere with any future installation or repair work on any utility lines located within the easement. The applicant did not relocate the fence outside of the P.U.D.E. as requested. The applicant shall be aware that any construction in the P.U.D.E. is done at the applicant's own risk as the fence may be removed by the City for any work in the P.U.D.E.

OTHER DEPARTMENTAL REVIEW COMMENTS

Although the variance request was reviewed by the following departments, the Engineering Division was the only department to provide comments.

- **Engineering Division**

During review of the variance request, the Engineering Division asked the applicant to move the location of the proposed fence outside of the 20-foot temporary construction easement for the future extension of Gateway Drive. As requested, the applicant relocated the proposed fence to be 22 feet inside the property line from the main entry driveway back to the east property corner outside of the temporary construction easement.

The Engineering Division also requested that the fence be shifted outside of the sight triangles at the intersection of Gateway Drive and Beretta Way according to the provisions of G.Z.O. Section 13.06.050, Traffic Control and Access Management Standards – Visibility, A. Visibility Areas, 1 & 2. According to the resubmittal, the fence will be located 22 feet inside the property line from the main entry driveway and approximately 50 feet at the corner of Gateway Drive and Beretta Way in accordance with G.Z.O. (Attachment 1-1; sheet C-131).

- **Police Department**

The Police Department provided no review comments on the variance request.

- **Department of Public Utilities**

The Department of Public Utilities noted that there were no problems with the variance request.

- **Industrial Pre-treatment Department**

The Industrial Pre-treatment Department did not review the variance request.

- **Fire Department**
The Fire Department provided no review comments on the variance request.
- **Sumner County E-911**
The Sumner County E-911 did not review the variance request.
- **Building (Codes) Department**
The Building (Codes) Department provided no review comments on the variance request.
- **Department of Electricity**
The Department of Electricity indicated that they were "O.K." with the variance request and did not provide any other review comments.
- **Department of Public Works**
The Department of Public Works did not review the variance request.

Applicable definitions and sections from the Gallatin Zoning Ordinance that apply to this case are listed below.

APPLICABLE G.Z.O. DEFINITIONS

02.02 Definitions

Yard - That part of a zone lot extending open and unobstructed from the lowest level to the sky along the entire length of a lot line, and from a lot line equivalent to a depth or width set forth in the applicable regulations.

Yard, Front - A yard extending along the full length of a front lot line. In the case of a corner lot, a yard of at least full depth required for a front yard in these regulations, and extending along the full length of a street line shall be considered a front yard. At least one such yard shall be designated for each through lot, and each through corner lot.

APPLICABLE G.Z.O. SECTIONS

12.01.020 Fences, Walls, and Hedges

Notwithstanding other provisions of this Ordinance, fences, walls, and hedges may be permitted in any required yard or along the edge of any yard as follows:

- A. Fences, walls, and hedges must comply with Section 12.01.010, Visibility at Intersections.
- B. No fence or wall shall be installed so as to block or divert a natural drainage flow on to or off of any other land.
- C. Appearance – Fences and walls shall comply with the following standards:
 1. Customary Materials – Fences and walls shall be constructed of materials customarily used and manufactured as common fence or wall materials, including solid wood, brick, masonry, stone, chain link, wrought iron, decorative metal materials, or products designed to resemble

these materials. Chain link fencing approved as part of a Site Plan or Final Master Development Plan shall be vinyl coated and colored dark green, brown or black.

2. Prohibited Materials – Fences and walls constructed of debris, junk, rolled plastic, sheet metal, plywood, or other waste materials are prohibited in all zone districts, unless such materials have been recycled and reprocessed into building materials marketed to the general public and designed for use as fencing or wall materials.
3. Finished Side to Outside – All fences and walls shall be oriented with the “good” or “finished” side facing outward (i.e. one side has visible support framing and the other does not) rather than facing the interior of the lot. This provision may be varied by the Zoning Administrator in situations where the unfinished side will not be visible to the public or other properties, or where other unusual circumstances exist. This provision shall not preclude the placement of a shadowbox type fence.
4. Uniformity of Materials – Fencing and wall segments located along a single lot side shall be of uniform height, material, type, color, and design and shall be uniform for the entire length of the fence or wall, except where a fence or wall segment transitions from one yard to another or from one height to another.
5. **Height Requirements**
 - a. In residential and mixed use zone districts, fences and walls shall not exceed a height of four (4) feet in a required front yard and six (6) feet in a required side and rear yard. Any fence installed in a front yard shall be of no greater than 50 percent opacity (that is, it shall obscure no more than 50 percent of the view into the land). If a fence is constructed on top of a retaining or other wall or berm, the combined height of the fence and wall shall not exceed the maximum height that would apply to a fence or wall alone, in relation to the grade on the highest side of the wall.
 - b. **In commercial and industrial districts, fences and walls shall not exceed a height of six (6) feet in a required front yard and ten (10) feet in a required side or rear yard. If a fence is constructed on top of a retaining or other wall or berm, the combined height of the fence and wall shall not exceed the maximum height that would apply to a fence or wall alone, in relation to the grade on the highest side of the wall.**
 - c. Fences or walls provided to meet the requirements outlined in Section 13.04, Transitional Bufferyard Design Standards, may be exempted from the height and location standards as necessary to meet the requirements of that section when approved as part of an overall landscape and bufferyard plan.
 - d. The Zoning Administrator may approve driveway entry features, including, but not limited to, decorative columns and gates, at a height greater than the height specified in Section 12.01.020.C.5 a through c.
6. Maintenance Required – All fences and walls shall be maintained in good repair and in a safe and attractive condition, including but not limited to replacement of missing, decayed, or broken structural and decorative elements.

13.06.050 Traffic Control and Access Management Standards - Visibility

In order to safely accommodate vehicular movements to and from public streets, the following sight distance and visibility provisions shall be required.

A. Visibility Areas

1. At the intersection of public and private streets, no fence, wall, hedge, or other planting or structure that will obstruct vision at any point above the center line grades of the intersecting

streets shall be erected, placed, or maintained within the triangular area formed by the said right-of-way lines and a straight line joining said right-of-way lines in accordance with Table 13-07 and Figure 13-06.

2. In all zoning districts except CC, no fence, wall, hedge, or other planting or structure shall be allowed on private property that will obstruct vision at any point where private driveways intersect a public street in such a manner as to interfere with traffic visibility of any driver using an authorized driveway, alley, or roadway.

15.05 Zoning Variances

The Board of Zoning Appeals may grant variances where it makes findings of fact based upon the standards prescribed in this section.

15.05.030 Standards for Variances

Section 15.05.030 of the Gallatin Zoning Ordinance states the Municipal Board of Zoning Appeals shall not grant a variance unless it makes findings based upon evidence presented to it as described in nine (9) specific criteria that are listed below. The applicant responded to these standards in writing (Attachment 1-6). Staff believes that this variance request meets all nine (9) of the following standards for a variance as required by the Gallatin Zoning Ordinance as described below.

- A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated.
 - The Federal Government requires all Conventional Arms, Ammunition, and Explosives (AA&E) facilities, contracting with the Department of the Navy, to be completely enclosed by a seven (7) foot tall fence for security purposes. The proposed height of the security fence is necessary to comply with the Federal mandate.
- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
 - This variance, if granted, would only apply to the 99.88 (+/-) acre Berretta USA property located at 1399 Gateway Drive. The one (1) foot variance shall only apply to the proposed seven (7) foot tall black metal picket security fence as shown on the Beretta USA Variance Request Exhibit (Attachment 1-1) and supporting detail sheets (Attachment 1-1; sheet C-509 and sheet C-510).
- C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance.
 - The variance will not allow any uses not permitted in the IR or A zone districts.
- D. Financial returns only shall not be considered as a basis for granting a variance.
 - The variance is requested to comply with the mandatory safety standards established by the Department of the Navy to ensure that Conventional AA&E facilities are protected as prescribed within the Physical Security Instructions dated September 26, 2003 (Attachment 1-4). The proposed fence also complies with the physical barrier requirement around all perimeter boundaries and designated restricted areas as well as the seven (7) foot height

requirement as specified in the Military Handbook (MIL-HDBK-1010/10) (Attachment 1-5; page 1 and page 3 respectively).

- E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance.
- The requested variance is not a hardship created by the current property owners.
- F. That granting the variance requested would not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts.
- The variance will allow for reasonable use and accommodation of the property and not confer on the property owner any greater uses than currently exist. There are no other firearm manufacturers under government contract in the same zoning district.
- G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- The requested one (1) foot variance is the minimum variance needed to meet the requirements of G.Z.O. Section 12.01.020.C.5.b. and the Federal Government regulations. All other sides of the black metal picket security fence will meet the maximum height requirements of the G.Z.O.
- H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
- The variance, if granted, will not be injurious to the area and will promote the public health and welfare because the fence will meet the safety standards imposed by the Department of the Navy for all Conventional Arms, Ammunition, and Explosives (AA&E) manufacturing facilities with whom they contract. Staff believes the seven (7) foot tall black metal picket security fence will serve a public benefit. The difference between a six (6) foot tall fence and a seven (7) foot tall fence will hardly be noticeable from Gateway Drive or Beretta Way.
- I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
- Staff does not believe that this variance would affect the items listed above since the fence requirement is being imposed by the Department of the Navy for safety reasons. In addition, the design and location of the fence will meet the requirements of G.Z.O. Section 13.06.050, Traffic Control and Access Management Standards – Visibility, A. Visibility Areas, 1 & 2.

15.05.040 Non-conformity Does Not Constitute Grounds for Granting of a Variance

No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

15.05.060 Conditions and Restrictions by the Board

The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in Section 15.05.030 to reduce or minimize the injurious effect to such variation; upon surrounding property and better carry out the general

intent of this Ordinance. The Board may establish expiration dates as a condition or as a part of the variances.

RECOMMENDATION

The proposed seven (7) foot tall black metal picket security fence does not meet the requirements of Section 12.01.020.C.5.b of the Gallatin Zoning Ordinance for installation in the front yard; however, since the Federal Government requires all Conventional Arms, Ammunition, and Explosives (AA&E) facilities, contracting with the Department of the Navy, to be completely enclosed by a seven (7) foot tall fence for security purposes, Staff recommends that the Gallatin Municipal Board of Zoning Appeals approve GMBZA Resolution No. 2014-08 granting a one (1) foot variance from G.Z.O. Section 12.01.020.C.5.b to allow a fence to be seven (7) feet tall in the front yard, as shown on a three (3) sheet plan, prepared by BRPH Architects, Engineers, Constructors of Melbourne, Florida, and Pattillo Construction Corporation, of Stone Mountain, Georgia, with Project No. C07005.000 dated August 13, 2014, with the following condition:

1. The one (1) foot variance only applies to the proposed seven (7) foot tall black metal picket security fence as shown on the Beretta USA Variance Request Exhibit (Attachment 1-1) and supporting detail sheets (Attachment 1-1; sheet C-509 and sheet C-510).

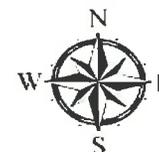
ATTACHMENTS

Attachment	1-1	Beretta USA Variance Request Exhibit and Security Fence Details
Attachment	1-2	Location Map
Attachment	1-3	Site Plan Action Form from 8/25/14 GMRPC Meeting
Attachment	1-4	Department of the Navy (DON) Physical Security Instructions dated 9/26/03
Attachment	1-5	MIL-HDBK-1013/10 Re: Physical Barriers Around Perimeter Boundaries
Attachment	1-6	Applicant's Written Responses to Standards for Variances

BERETTA, USA FENCE VARIANCE REQUEST; PC0340-14
LOCATION MAP



Tax Map #111//Part of Parcel 001.00
(Zoned A) and Tax Map112//012.00, 012.01,
& 012.03 (Zoned IR)



ATTACHMENT

1-3



City of Gallatin, Tennessee

Planning Department

Gallatin Municipal-Regional Planning Commission ZONING PERMIT & ACTION FORM

DATE: August 26, 2014

TO: Mr. Mark Yorio
BRPH Architects, Engineers, Constructors
5700 North Harbor City Blvd.
Melbourne, FL 32937

FROM: Planning Department

RE: August 25, 2014 Gallatin Municipal-Regional Planning Commission Meeting
Beretta USA Site Plan: PC03-14

*Box to contain Staff Approval
stamp once all Conditions of
Approval are satisfied.*

At the above referenced meeting, the request for approval of a Site Plan was:

- APPROVED
- APPROVED WITH CONDITIONS
- DENIED
- DEFERRED

Conditions of Approval (*checked when satisfied*):

- 1. Final Site Plan approval is subject to City Council's approval of rezoning Ordinance No. O1408-47 for the eastern 8.21 (+/-) acres of the project site.
- 2. The Planning Commission determined that the proposed alternative architectural elevations meet the requirements in Section 13.08.010.D of the Gallatin Zoning Ordinance and granted approval with the condition that the parapet wall be extended along the rear façade of the building in order to completely screen roof top mechanical equipment in accordance with G.Z.O. Section 13.08.010.F, *Screening*. The Planning Department shall inspect the exterior building façade materials prior to the installation of the exterior building façade materials.
- 3. Update Site Plan to show alternative location for the future greenway extension on property consistent with the recent *2020 Plan* amendment.
- 4. Add additional property owner's name and address to Site Data Table on Sheet C-121(Tax Map and Parcel #111//001.00) and add the Agriculture-Residential (A) zone district to Site Data Table on Sheet C-121(Tax Map and Parcel #111//001.00).
- 5. Submit a full landscaping and bufferyard plan, including details of the Type 50

ATTACHMENT

1-3



City of Gallatin, Tennessee

Planning Department

Bufferyard and opaque barrier, and all required parking lot plantings. Update Site Plan to show the location of the Type 50 Bufferyard along the eastern and northern property lines. If trees are to be preserved on site and counted toward the landscaping requirements, submit a detailed tree survey for all existing mature trees measuring at least 4.5 inches caliper and larger per G.Z.O. Section 13.04.100.A.

- 6. Submit updated photometric plan that meets G.Z.O., Section 13.02.080, *Performance Standards Regulating Glare and Electromagnetic Interference*. Submit details of the proposed light poles (including shoe box design fixtures) and provided details of the proposed wall mounted accent lighting fixtures for the building.
- 7. Submit details of all proposed permanent signs to the Planning Department for review and approval in accordance with G.Z.O. Section 13.07.065. F, *Master Signage Plan*. Sign permits shall be obtained prior to the installation of any signage on site.
- 8. A site surety, in an amount to be determined by the applicant and approved by the Planning Department, shall be submitted to the Planning Department prior to issuance of a building permit.
- 9. Address all outstanding Engineering Division project review comments as shown on Attachment 7-10 to the satisfaction of the City Engineer.
- 10. Provide additional drainage easements as necessary to the stormwater management area including outfall areas.
- 11. Submit final detailed water and sanitary sewer plans and specifications to the Industrial Pre-Treatment Department for review and approval.
- 12. Submit three (3) corrected folded copies of the Site Plan, including one (1) full size and two (2) half size copies, to the Planning Department.
- 13. Since the proposed metal fence exceeds the maximum height requirement permitted by the G.Z.O. for the front yard, please submit an application for approval of a variance by the Gallatin Municipal Board of Zoning Appeals. Please also submit nine (9) copies of the fence plan and details, along with the \$50 review fee to the Planning Department by Tuesday, September 2, 2014 in order to be placed on the Thursday, September 25, 2014 Gallatin Municipal Board of Zoning Appeals meeting.

Approval contains the following requirements:

- NONE
- BUILDING PERMIT/USE AND OCCUPANCY PERMIT
- ZONING PERMIT

ATTACHMENT 1-3



City of Gallatin, Tennessee

Planning Department

- SIGN PERMIT
- LAND DISTURBANCE PERMIT
- SIGNAGE CHECK
- UTILITY SURETY
- SITE SURETY
- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- COUNCIL SUBMITTAL
- SUBMIT THREE (3) CORRECTED, FOLDED COPIES OF THE SITE PLAN INCLUDING THREE (3) UPDATED COLOR COPIES OF THE REVISED ARCHITECTURAL ELEVATIONS [ONE (1) FULL SIZE AND TWO (2) HALF SIZE PLANS].
- OTHER

cc: Mr. Matthew Diez, Project Manager; Pattillo Construction Corp.
Mr. James Fenton, Director; Gallatin EDA
PC0326-14



ATTACHMENT 1-4

DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

OPNAVINST 5530.13C
N09N3
CMC (PS)
26 September 2003

OPNAV INSTRUCTION 5530.13C

From: Chief of Naval Operations
Commandant of the Marine Corps
To: All Ships and Stations

Subj: DEPARTMENT OF THE NAVY PHYSICAL SECURITY INSTRUCTION FOR
CONVENTIONAL ARMS, AMMUNITION, AND EXPLOSIVES (AA&E)

Ref: (a) DOD 5100.76-M, "Physical Security of Sensitive
Conventional Arms, Ammunition, and Explosives"
of Aug 2000 (NOTAL)
(b) SECNAVINST 5212.5D, Subj: Navy and Marine Corps
Records Disposal Manual (NOTAL)

Encl: (1) Department of the Navy Physical Security Instruction
for Conventional Arms, Ammunition, and Explosives
(AA&E)

1. Purpose. To issue policies set forth in reference (a) and provide additional Department of the Navy (DON) policy and guidance for the protection of conventional AA&E against loss or theft.

2. Cancellation. OPNAVINST 5530.13B.

3. Scope. This instruction applies to all conventional AA&E owned by or contracted by DON and maintained on a permanent basis.

4. Discussion. This instruction is a complete revision and must be reviewed in its entirety. Conventional AA&E must be protected because of its potential for misuse, capability to cause injury, and vital role in national defense. Emphasis is placed on the commanding officer's responsibility to ensure that the command AA&E security posture is accurately assessed and resources are appropriate to execute security programs.

ATTACHMENT 1-4

OPNAVINST 5530.13C
26 September 2003

5. Responsibilities. The following command responsibilities are established:

a. Commanding Officers. Commanding officers are responsible for the physical security of AA&E within their authority.

b. Echelon 2 and Subordinate Commands. DON Echelon 2 and subordinate commanders are responsible for overseeing implementation of this instruction via inspections and inventory effectiveness reviews.

c. Chief of Naval Operations (CNO) (N09N). The Special Assistant for Naval Investigative Matters (N09N) will oversee management and coordination of the AA&E physical security program in the Navy, and will:

(1) Develop Navy AA&E physical security policy and oversee its implementation.

(2) Advise and assist Navy commanders in developing and maintaining effective AA&E security programs.

(3) Evaluate adequacy of security provided to Navy AA&E and support funding requirements via the Baseline Assessment Memorandum (BAM) process.

(4) Ensure that DON AA&E in the custody of contractors is protected to the level prescribed here.

d. Commandant of the Marine Corps (CMC) (PS). CMC (PS) manages the AA&E physical security program for the Marine Corps, requesting support from the Navy as required. CMC (PS) will make decisions affecting the Marine Corps AA&E physical security program except that CMC (LFT) will make transportation requirements.

e. Commander, Naval Sea Systems Command (COMNAVSEASYSYSCOM). COMNAVSEASYSYSCOM (and as further delegated to Naval Ordnance Safety and Security Activity) is assigned as the program manager for the Navy's AA&E physical security and ordnance transportation security programs. Tasks include:

(1) Evaluate the Navy AA&E physical security posture and develop cost effective upgrades.

ATTACHMENT 1-4

OPNAVINST 5530.13C
26 September 2003

(2) Maintain and analyze statistical data on Navy AA&E physical security matters and monitor AA&E physical security program objectives to ensure compliance with policies and standards.

(3) Assist Navy and Marine Corps commands to determine funding and manpower requirements and by providing technical direction needed to meet AA&E security responsibilities.

f. Commanding Officer, Space and Naval Warfare Center (SPAWAR), Charleston. SPAWAR will provide management, engineering, and technical support for ESS installations at Navy and Marine Corps AA&E sites when requested.

g. Commander, Naval Facilities Engineering Command (COMNAVFACENGCOM). COMNAVFACENGCOM provides engineering design and construction criteria including military handbooks, standard construction drawings, and specifications for secure structures including magazines for AA&E facilities.

h. Commander, Naval Supply System Command (COMNAVSUPSYSCOM).

(1) Based on policy requirements established by Naval Ordnance Safety and Security Activity and higher authority, COMNAVSUPSYSCOM manages AA&E transportation programs including second destination transportation. That responsibility includes physical security improvements and transportation facility modifications necessary to meet the requirements of this instruction.

(2) Implement Navy policy and guidance for ordnance transportation security and act as Department of Defense (DOD) agent for the joint service Defense Transportation Tracking System (DTTS).

(3) Implement Navy policy and guidance for the Ordnance Inventory Accuracy Management Program.

i. Commanding Officer, Naval Ordnance Safety and Security Activity (NAVORDSAFSECACT).

(1) Except for Electronic Security Systems (ESS), budget and program for all AA&E physical security program funding and provide CNO (NO9N1) with Navy-wide resource requirements and related 6 year plans.

ATTACHMENT 1-4

OPNAVINST 5530.13C
26 September 2003

(2) Assist Navy commands by providing technical direction on security related issues.

j. **DON Contracting Activities.** DON contracting activities must:

(1) Ensure that contracts involving Risk Category AA&E at contractor facilities describe the standards of protection required by this instruction and ensure by contractual clause access to prime and subcontractor facilities to enable the government to conduct security surveys, inspections, and investigations.

(2) Provide, at the time of the contract award and at renewal, cognizant Defense Investigative Service (DIS) industrial security offices copies of each AA&E contract or pertinent extracts (contract physical security standards) that involve risk category AA&E. Include a listing of Government Furnished Equipment (GFE) as part of the pertinent extracts.

(3) Notify the cognizant DIS industrial security office when pre-award surveys are conducted to allow for their participation in the survey (see appendix D for list of offices and addresses).

(4) Ensure that AA&E shipments in connection with DON contracts are shipped between contractors or subcontractors in accordance with this instruction.

(5) Ensure that AA&E is identified by risk category in all applicable prime and subcontracts, to guarantee correct identification and complete understanding by DIS industrial security inspectors, the Administrative Contracting Officer (ACO), and prime and subcontractors concerned.

(6) Advise the cognizant DIS industrial security office of actions taken by contractors, subcontractors, government procuring officers, or government contract administration officers, in response to DIS AA&E inspection deficiencies and recommendations.

6. **Action.** Compliance with this instruction and enclosure (1) is mandatory for all DON personnel concerned with security, storage, and transport of conventional AA&E.

7. **Forms.** DD 1348-1A (DOD Single Line Item Release/Receipt Document) S/N 0102-LF-115-3800 (white), S/N 0102-LF-115-3800

ATTACHMENT 1-4

OPNAVINST 5530.13C
26 September 2003

(yellow), S/N 0102-LF-115-3800 (pink); and DD 1907 (Signature and Tally Record) S/N 0102-LF-010-0400 are available through normal Navy supply channels under NAVSUP P-2002. Standard Form 361 (Transportation Discrepancy Report) NSN 7540-00-965-2403 and Standard Form 364 (Report of Discrepancy) NSN 7540-00-159-4442 are available from GSA.

8. Report. Symbol DD-C3I(AR)1358 has been assigned to the reporting requirement contained in chapter 7, and is approved for 3 years from the date of this directive.

9. Records. Retention and disposition guidance for records cited in this instruction are provided for in reference (b).

E. R. BEDARD
Deputy Commandant for
Plans, Policies, and Operations

DAVID L. BRANT
Special Assistant for
Naval Investigative Matters
and Security

Distribution:
SNDL Parts 1 and 2
MARCORPS PCN 71000000000 and 71000000100

ATTACHMENT 1-5

MIL-HDBK-1013/10

Section 1: INTRODUCTION

1.1 Scope. This military handbook provides guidance and detailed criteria for the design, selection, and installation of new security fencing, gates, barriers, and guard facilities for perimeter boundaries of Navy and Marine Corps installations or separate activities, and designated restricted areas. Primarily, the criteria herein is based on the following Chief of Naval Operations Instructions (OPNAVINSTs):

a) OPNAVINST 5530.13A, Department of the Navy Physical Security Instruction for Conventional Arms, Ammunition, and Explosives (AA&E).

b) OPNAVINST 5530.14B, Department of the Navy Physical Security and Loss Prevention.

c) OPNAVINST C8126.1, Navy Nuclear Weapon Security Manual.

1.2 Cancellation. This military handbook, MIL-HDBK-1013/10, supersedes the following portions of NAVFAC Design Manual (DM) 5.12, Fencing, Gates and Guard Towers, dated October 1979: Section 1, paragraph 3; Section 2, paragraphs 2c and 3a; Section 3, paragraphs 1(1) and 1(d); portions of Table 1, dealing with Applications-Security, Perimeter, Nuclear Weapons; and, Table 2 in its entirety.

1.3 Criteria Documentation. Where criteria documentation such as Federal Specifications, Military Specifications, Naval Facilities Engineering Command (NAVFACENGCOM) Guide Specifications, etc., are cited, the latest version should be used for design.

1.4 Application. Physical barriers will be established around all perimeter boundaries and designated restricted areas as defined in Chapter 3 of OPNAVINST 5530.14B, Chapter 5 of OPNAVINST 5530.13A, and Chapter 3 of OPNAVINST C8126.1.

1.5 Technical Approach for Fence Design. This handbook was developed to lead the designer through the detailed criteria required to establish a physical barrier around any Navy and Marine Corps perimeter boundary and designated restricted area. Perimeter boundaries and restricted area fence and barrier criteria from OPNAVINST 5530.14B have been used in this handbook as a baseline to design security fences. Where different or special requirements for AA&E or nuclear restricted areas are specified in OPNAVINST 5530.13A or OPNAVINST C8126.1, they are contained herein under the appropriate subject title and section.

1.6 NATO Criteria. There are differences between the criteria contained in this handbook and the criteria authorized or directed by the North Atlantic Treaty Organization (NATO). While this handbook may be used as a baseline for design of security fencing, gates, barriers, and guard

ATTACHMENT 1-5

MIL-HDBK-1013/10

facilities in Europe, obtain and follow specific NATO criteria to assure that specified NATO security requirements are met when designing these security components.

1.7 Preliminary Physical Security Considerations. Security fences will not stop a determined intruder. To be effective, such barriers must be augmented by security force personnel and other means of protection, detection, delay, and assessment. Security fences are used primarily to:

- a) define the perimeter of a restricted area.
- b) provide a physical and psychological deterrent to entry while serving notice that entry is not freely permitted.
- c) prevent accidental entry.
- d) optimize security force operations.
- e) enhance detection and apprehension of intruders.
- f) channel and control the flow of personnel and vehicles through designated portals.

Keep these factors in mind while proceeding with the security fence design.

Prior to making decisions to employ security fencing, perform a thorough risk and threat analysis to determine the degree of physical security required. As indicated in Chapter 2 of Chief of Naval Operations Instruction (OPNAVINST) 5530.14B, extensive and costly security measures may be justified in certain cases to protect certain assets of security interest; however, ultimately the commanding officer of an activity is responsible for complying with established security requirements while at the same time working to achieve economy. To achieve this objective, higher echelon security requirements must be clearly understood. Additionally, evaluate the relative criticality and vulnerability of the security interest in relation to a ranking of potential threats, and calculate the specific level of security to ensure the best possible protection for that threat level in a cost-effective manner. Only after the above preliminary factors are addressed can a proper design be initiated. See MIL-HDBK-1013/1, Design Guidelines for Physical Security of Fixed Land-Based Facilities, for guidance and more detailed procedures which may be helpful in the decision process.

It is imperative that security fencing requirements for restricted areas be evaluated on a case-by-case basis. Installing large quantities of security fencing around an entire outer perimeter may not be practical or cost-effective, and may not improve security, particularly in remote and unpopulated areas. Consider the following:

ATTACHMENT 1-5

MIL-HDBK-1013/10

- a) If the outer perimeter of the installation has adequate security fencing, then fencing of inner zones may not be required.
- b) If the outer perimeter of the installation has barbed wire or hog-wire fencing or no fencing, security fences for inner facilities or storage areas may be more practical and cost-effective.
- c) If the outer perimeter of the installation is partially fenced with a security fence, it may be more cost-effective to provide security fencing for the remainder of the outer perimeter rather than install security fencing around inner restricted areas.
- d) If natural barriers such as mountains, cliffs, rivers, seas, or other difficult-to-traverse terrain form portions of the perimeter, then security fencing of the inner restricted areas may be more practical and cost-effective than providing security fencing either along or through these difficult-to-traverse areas.

In some cases, a request for a permanent exception to fencing requirements submitted in accordance with OPNAVINST 5530.14B may be more appropriate than erecting costly security fencing.

1.8 Fencing Modifications. Existing serviceable 6-foot (1.8-meter (m)) chain link fences (without outriggers) and gates constructed under the old version of OPNAVINST 5530.13A requirements do not need to be modified or replaced to meet the new OPNAVINST 5530.13A, 7-foot (2.1-m) (without outrigger) requirement.

Increasing the height of chain-link fencing by 1 or 2 feet (0.30 or 0.61 m) may, at best, increase the time to penetrate by going over the fence by only a couple of seconds. However, it has no effect on the time to penetrate the fence by cutting.

1.9 Cost of Security. Generally, physical security cost expenditures should be based upon the cost of the item to be protected, possible damage that the loss of the item could inflict upon the civilian population, and the importance of the item to the overall security and readiness posture of the command. The cost of security is frequently greater than the dollar value of the property or material protected. Sensitive items that may be a threat to the civilian population or vital to national security will be provided additional protection commensurate with their sensitivity and the threat to their loss or destruction.

VARIANCE REQUEST CHECKLIST			
Project Name:	NEW FACILITY AT GALLATIN – BERETTA, USA	112 Map #: 111	12.00, 12.01, 12.03 Group: Parcel #: 1.00
Contact Person:	MARK YORIO	BZA File Number: PC0340-14	

The Variance Request Checklist is designed to assist applicants with identifying the information that must be included on plans submitted for a variance request. Initial submittals must include a completed BZA Application Form, a completed Variance Checklist and Variance Site Plan Checklist, and nine (9) folded copies of the plan by 4:30 PM on the submittal deadline.

The Municipal/Regional Boards of Zoning Appeals may grant variances where it makes findings of fact based upon the standards per G.Z.O. Section 15.05.030 listed below. Please provide a written description that explains how the variance being requested addresses the following nine (9) standards for variances:

- A. The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out must be stated;

Beretta manufactures firearms for the Federal Government. The Federal Government requires minimum security standards for all contractors that produce firearms for them. One of the requirements is a minimum 7' high perimeter fence.

- B. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;

There are no other firearm manufacturers, under government contract, in this same district.

- C. The variance will not authorize activities in a zone district other than those permitted by this Ordinance;

Correct.

- D. Financial returns only shall not be considered as a basis for granting a variance;

Correct. This is a Federal requirement.

- E. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Ordinance;

Correct. This is a Federal requirement.

- F. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same districts;

Correct.

VARIANCE REQUEST CHECKLIST			
Project Name:	NEW FACILITY AT GALLATIN – BERETTA, USA	112 Map #: 111	12.00, 12.01, 12.03 Group: Parcel #: 1.00
Contact Person:	MARK YORIO	BZA File Number: PC0340-14	

G. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;

Correct. The 7' is the Federal Government minimum height requirement and 7' is what is being requested.

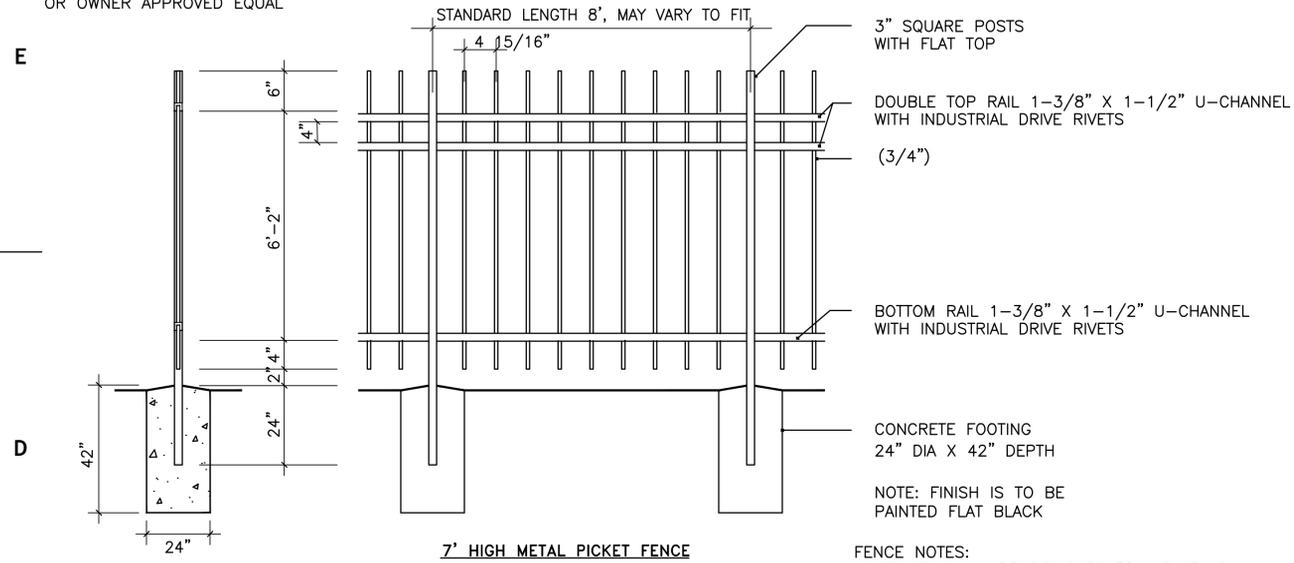
H. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; and

Correct. The visible difference between a 6' high fence (code maximum) and a 7' high fence (Federal requirement) is almost unnoticeable from the street.

I. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

Correct.

ESTATE FENCE - STYLE K
BY MONUMENTAL IRON WORKS
OR OWNER APPROVED EQUAL



7' HIGH METAL PICKET FENCE

DETAIL

NTS

STANDARD LENGTH 8', MAY VARY TO FIT
4 15/16"

3" SQUARE POSTS WITH FLAT TOP

DOUBLE TOP RAIL 1-3/8" X 1-1/2" U-CHANNEL WITH INDUSTRIAL DRIVE RIVETS (3/4")

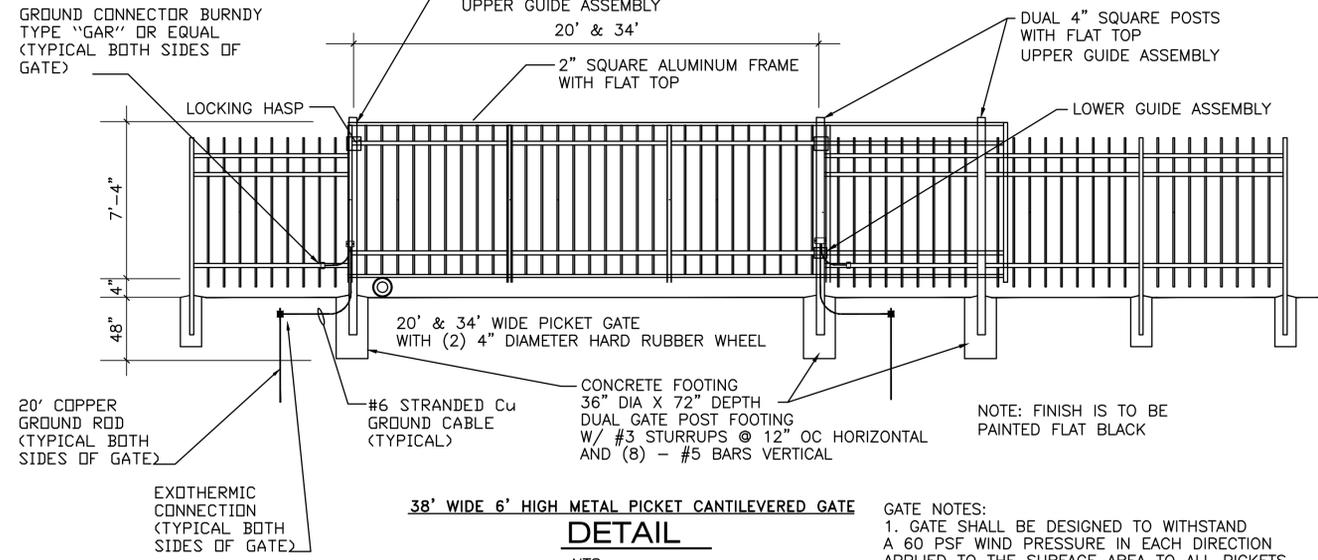
BOTTOM RAIL 1-3/8" X 1-1/2" U-CHANNEL WITH INDUSTRIAL DRIVE RIVETS

CONCRETE FOOTING 24" DIA X 42" DEPTH

NOTE: FINISH IS TO BE PAINTED FLAT BLACK

FENCE NOTES:
1. FENCE SHALL BE DESIGNED TO WITHSTAND A 60 PSF WIND PRESSURE IN EACH DIRECTION APPLIED TO THE SURFACE AREA TO ALL PICKETS, POSTS, RAILS, ETC.

ESTATE FENCE - STYLE K
BY MONUMENTAL IRON WORKS
OR OWNER APPROVED EQUAL



38' WIDE 6' HIGH METAL PICKET CANTILEVERED GATE

DETAIL

NTS

GROUND CONNECTOR BURNDY TYPE "GAR" OR EQUAL (TYPICAL BOTH SIDES OF GATE)

LOCKING HASP

DUAL 4" SQUARE POSTS WITH FLAT TOP UPPER GUIDE ASSEMBLY 20' & 34'

2" SQUARE ALUMINUM FRAME WITH FLAT TOP

DUAL 4" SQUARE POSTS WITH FLAT TOP UPPER GUIDE ASSEMBLY

LOWER GUIDE ASSEMBLY

20' & 34' WIDE PICKET GATE WITH (2) 4" DIAMETER HARD RUBBER WHEEL

CONCRETE FOOTING 36" DIA X 72" DEPTH DUAL GATE POST FOOTING W/ #3 STURRUPS @ 12" OC HORIZONTAL AND (8) - #5 BARS VERTICAL

NOTE: FINISH IS TO BE PAINTED FLAT BLACK

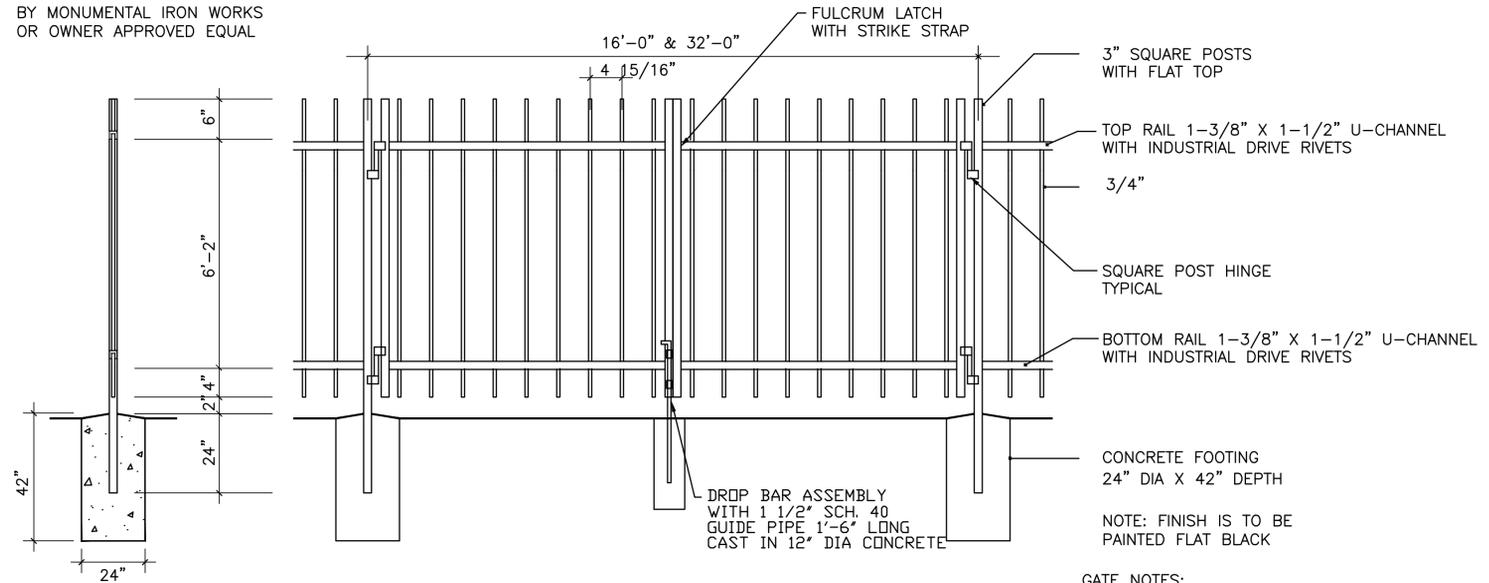
20' COPPER GROUND ROD (TYPICAL BOTH SIDES OF GATE)

#6 STRANDED Cu GROUND CABLE (TYPICAL)

EXOTHERMIC CONNECTION (TYPICAL BOTH SIDES OF GATE)

GATE NOTES:
1. GATE SHALL BE DESIGNED TO WITHSTAND A 60 PSF WIND PRESSURE IN EACH DIRECTION APPLIED TO THE SURFACE AREA TO ALL PICKETS, POSTS, RAILS, ETC.

ESTATE FENCE - STYLE K
BY MONUMENTAL IRON WORKS
OR OWNER APPROVED EQUAL



DOUBLE LEAF SWING GATE

DETAIL

NTS

16'-0" & 32'-0"

4 15/16"

FULCRUM LATCH WITH STRIKE STRAP

3" SQUARE POSTS WITH FLAT TOP

TOP RAIL 1-3/8" X 1-1/2" U-CHANNEL WITH INDUSTRIAL DRIVE RIVETS

3/4"

SQUARE POST HINGE TYPICAL

BOTTOM RAIL 1-3/8" X 1-1/2" U-CHANNEL WITH INDUSTRIAL DRIVE RIVETS

CONCRETE FOOTING 24" DIA X 42" DEPTH

NOTE: FINISH IS TO BE PAINTED FLAT BLACK

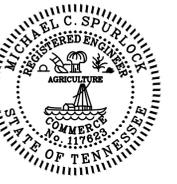
DROP BAR ASSEMBLY WITH 1 1/2" SCH. 40 GUIDE PIPE 1'-6" LONG CAST IN 12" DIA CONCRETE

GATE NOTES:
1. GATE SHALL BE DESIGNED TO WITHSTAND A 60 PSF WIND PRESSURE IN EACH DIRECTION APPLIED TO THE SURFACE AREA TO ALL PICKETS, POSTS, RAILS, ETC.

ISSUE	
REVISION	△



**NEW FACILITY AT GALLATIN
INDUSTRIAL CENTER PHASE 3, LOT 4**
GALLATIN, TENNESSEE
BERETTA, USA



ARCH/ENGR OF RECORD
MICHAEL C. SPURLLOCK
TN PE No. 117623

DESIGNED BY
YORIO

DRAWN BY
YORIO

CHECKED BY
SPURLLOCK

PROJECT NO./CAD CODE
C07005.000C-501.DWG

DATE
08 - 13 - 2014

TITLE
DETAILS - FENCE

DRAWING NO.
C-509

